

If Disturbances Don't Stop

When noise disturbances continue despite local attempts to resolve the problem, stronger actions may be warranted. This is especially true if the disturbances consistently occur during "quiet hours"—9:00 p.m. to 7:00 a.m. weekdays, and 9:00 p.m. to 9:00 a.m. weekends, and holidays.

It's Illegal

Among other provisions, the Noise Control Ordinance makes it illegal to:

- Operate, or allow to be operated, a radio, television, or other electronic sound-producing device on public or private property if the sound exceeds 55 dBA at the receiving property line in a residential noise zone.
- Create a noise disturbance.
- Operate any equipment that exceeds the receiving property line sound level limits.
- Allow an animal to create a noise disturbance.
- Load or unload material during "quiet hours."
- Permit construction noise to exceed 75 dBA, with allowances for higher dBA levels under an approved "Noise Suppression Plan."
- Sell, buy, offer for sale, or use a leaf blower at any time that has an average sound level exceeding 70 dBA at a distance of 50 feet.

Upon conviction, violators of the Noise Control Ordinance are subject to a civil penalty of up to \$500. Repeat offenders are subject to a fine of \$750, or criminal sanctions. Construction operations may be subject to a "stop work" order.

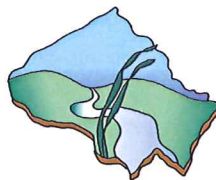
Getting Compliance Help

During business hours, specialists from the Montgomery County Department of Environmental Protection investigate complaints by using sound level meters to measure dBA levels at property lines. After regular business hours, police respond to most noise complaints. While environmental specialists frequently use sound level meters, the ordinance also allows police officers to issue citations for noise disturbances on their own judgment and with the testimony of witnesses, under the specific criteria stated in the ordinance.

As many noise disturbances are not witnessed by an enforcement officer, the ordinance has a unique provision allowing residents to file a two-party complaint. When signed by two or more witnesses to a noise disturbance, this complaint allows an enforcement officer to initiate enforcement. To facilitate this process, the Department has developed an affidavit, with instructions, that summarizes all of the facts necessary to initiate enforcement action; it is available on the Noise Control web page as "Citizen's Two-Party Noise Complaint."

Controlling Noise Through Joint Responsibility

- For more information about the Noise Control Ordinance or to report situations that may constitute violations, call the Montgomery County Department of Environmental Protection at 240.777.7700 — 8:00 a.m. to 4:30 p.m., weekdays.
- To report noise disturbances resulting from trash collection during "quiet hours," call the Montgomery County Division of Solid Waste Management at 240.777.6400 — 8:30 a.m. to 5:00 p.m., weekdays.
- To report noise disturbances from animals, call the Division of Animal Control and Humane Treatment at 240.773.5960 — 8:30 a.m. to 5:00 p.m., weekdays.
- To report noise disturbances outside regular business hours, call the police non-emergency line at 301.279.8000.

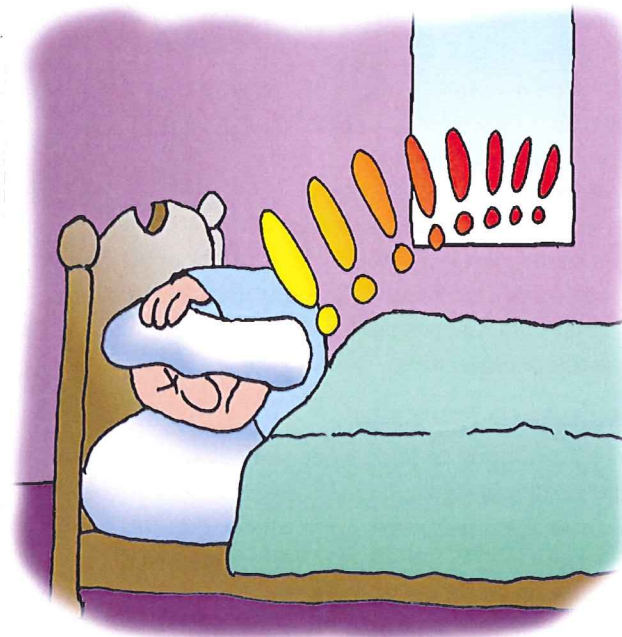


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Noise Control

A Sound Solution



Montgomery County, Maryland
Department of Environmental Protection
Noise Control Program

A Sound Solution To Our Noisy World

Sound is an everyday fact of life for most of us, but when sound becomes noise, an unwanted din at high continuous levels, problems arise. Noise interferes with our normal residential and business activities. Persistent exposure can result in psychological or even physiological stress. Noise at high enough levels can damage our hearing.

While we cannot eliminate noise in our community, we can control it. That is the purpose of the Montgomery County Noise Control Ordinance, Chapter 31B of the Montgomery County Code. By establishing common sense guidelines which residents and businesses can follow, the ordinance promotes a more restful, pleasant environment throughout the county. It also provides remedies, including corrective orders, fines and even criminal penalties for situations in which noise exceeds reasonable limits.

Ordinance Provisions

The Noise Control Ordinance obviously allows for normal activities during regular hours; however, it does attempt to eliminate interference from noise when most of us want to rest and relax. It also seeks to control disturbing and unhealthy levels of noise in general.

Key Provisions

- Provide day/night sound level limits.
- Establish "quiet hours."
- Define sounds that constitute noise disturbances.
- Prohibit the creation of a "noise disturbance" at any time.
- Prohibit the purchase, sale or use of excessively noisy leaf blowers.

A noise disturbance, as defined by the ordinance, is any sound that is unpleasant, annoying, or loud; abnormal for

the time or location; and detrimental to health, comfort, property, or the conduct of business. Under the ordinance, it is unlawful to create a noise disturbance anywhere at any time.

The Noise Control Ordinance promotes peace and quiet for everyone by covering a wide variety of residential and business situations. The ordinance does not cover noise from aircraft and railroads or motor vehicles on public roadways, as Federal and State governments supersede local regulation. Also exempt are emergency operations by public utilities.

"Quiet Hours"

Weekdays: 9:00 p.m. to 7:00 a.m.
Weekends & Holidays: 9:00 p.m. to 9:00 a.m.

During "quiet hours" it is unlawful to create noises louder than 55 decibels (dBA) at a residential receiving property line. At the 55 dBA level, two persons could conduct a normal conversation with a distance of ten feet between them.

Guidelines for Good Neighbors

- Monitor the volume of televisions, stereos, radios, and other sound-producing equipment in and around your home, especially during "quiet hours." Particular attention should be directed to bass controls.
- Use power tools in your home, garage, or outdoors only during regular hours.
- Limit outdoor activities that may generate noise to regular hours.
- Check central and window air conditioning units periodically to ensure that they are operating as quietly as possible.
- Take good care of your pets. Dogs left outside all day are likely to bark and disturb neighbors who may be at home.
- Make sure your family and guests comply with "quiet hours."
- Buy "quiet" when selecting equipment and appliances.

Businesses can also be good neighbors and comply with the ordinance by limiting the following to regular hours:

- Construction and landscaping activities.
- Loading and unloading goods and materials.
- Use of electronic sound and public address equipment.
- Use of power equipment mounted on motor vehicles.
- Consider noise control when building or renovating.

Businesses should also be sure that only leaf blowers that comply with the County standards are sold or used.

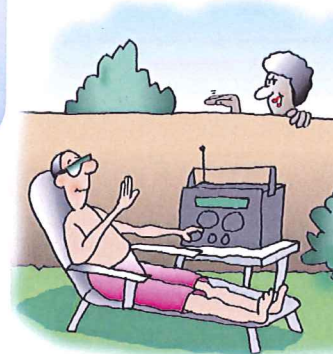


Solving Neighborhood Noise Problems

Even with the Noise Control Ordinance in force, each of us should take responsibility for preserving a quiet atmosphere in our community. A commitment to self-monitoring and mutual cooperation is essential to

eliminating noise problems before they happen—and is fully in keeping with the intent of the ordinance.

The Noise Control Ordinance can provide a reason for you and your neighbors to meet and communicate, whether formally or informally. If noise has not been a problem in the neighbor-



hood, you can quickly cover ways to maintain the peaceful environment you have developed. But, if noise is out of control, whether from residential or commercial sources, you will want to explore ways to resolve the problem.

Many noise problems can be resolved through the same methods used to solve neighborhood problems. Tactful person-to-person communication is a good way to start. If that approach doesn't work, your block, tenant, or community association may wish to adopt resolutions in keeping with the County ordinance, while taking steps to inform residents of the association's support for sanctions against noise.